IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.42281 of 2007

**PRABHASH KUMAR DAS, SON OF UPENDRA DAS,
RESIDENT OF VILLAGE MOJAMA, P.S. BIHPUR,
DISTRICT-BHAGALPUR. -EPTITIONER**

Versus

1. THE STATE OF BIHAR,
2. SABITA KUMARI, WIFE OF PRABHASH KUMAR DAS, DAUGHTER OF NARAIN DAS, RESIDENT OF VILLAGE-MOJAMA, P.S. BIHPUR, DISTRICT-BHAGALPUR, AT PRESENT RESIDING AT VILLAGE-KHATOPUR, P.S. MUFFASIL, DISTRICT-BEGUSARAI.
-OPP.PARTIES.

3 07.11.2008 Despite service of notice, the complainant has chosen not to appear. After receipt of notice, it is submitted at the Bar that the complainant has filed divorce suit. The marriage, according to the complaint, was solemnized ten years prior to lodgment of the complaint. The complaint does not suggest existence of evidence of mental or physical torture.

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Accordingly, the application is allowed.

Let the petitioner, in the event of his arrest or surrender within six weeks from today, be enlarged on bail on his furnishing bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri K.K. Singh, Judicial Magistrate, first class, Begusarai, in Complaint Case no. 1902 C of 2006, subject to the conditions laid down in Section 438(2) of the Code of Criminal

Procedure.

(Barin Ghosh, J.)

AAhmad

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